GIGGLESWICK
SCHOOL

Complaints Procedure

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1 INTRODUCTION

Giggleswick School ("the School") prides itself on the effective and caring pastoral and academic environment provided to its pupils. However, from time to time there may well be issues and genuine concerns which parents wish to raise with the School and they can expect them to be treated in accordance with this Complaints Procedure.

1.1 DEFINITIONS

This is the Complaints Procedure for Parents referred to in the School's Terms and Conditions ("Parent Contract").

The School welcomes suggestions and comments from parents. It takes seriously complaints and concerns they may raise and wishes to work with them in the best interests of the pupils in the School's care.

In the Complaints Procedure, the following words and expressions have the following meanings:

- **A Concern** may be defined as an expression of worry or doubt over an issue considered to be important for which reassurances are sought.
- **Complaint** means any matter about which a parent in unhappy and in respect of which he or she seeks action from the School.
- **The Pupil** means the pupil in respect of whom a complaint is made (see below). Other pupils are referred to as pupils
- **Working days** means days other than Saturdays, Sundays, public holidays in the UK, days falling on an exeat and the usual School holidays. In calculating the number of working days, the day of receipt and the day of despatch shall not be counted.
- **Working hours** means between 9:30am and 5:30pm on a working day.
- **The Clerk** means the Clerk to the Governors of Giggleswick School or their deputy whose address is:

  The Clerk to the Governors of Giggleswick School
  Giggleswick School
  Settle
  North Yorkshire
  BD24 0DE
  bursar@giggleswick.org.uk

2 GENERAL

The purpose of the Complaints Procedure is:

- To provide a clear process to enable Parents to make a Complaint; and
- To provide a fair and efficient structure for resolving or otherwise determining a Complaint and a timeframe within which the Complaint can be expected to be resolved or otherwise determined.

The Complaints Procedure is to be used as a mechanism for resolving issues of genuine concern in good faith and in a non-adversarial manner. It shall not be used:

- where the complaint relates to the Permanent Exclusion or the permanent removal of a pupil at the request of the School, the procedure for which is set out in the Appeal Against Exclusion Procedure for Parents or to any other complaint in respect of a matter for which a different procedure is expressly provided;

- to obtain information from the School not available under the Parent Contract or otherwise by law;

- to re-open a Complaint on a matter in respect of which the process set out in the Complaints Procedure has been completed;

- to avoid or delay payment of any sum due under the Parent Contract;

- by pupils to raise concerns (there is specific policy dealing with pupils' complaints); or

- in bad faith, in an abusive or threatening manner or to pursue a frivolous issue or in a way that is frivolous or vexatious.

The making of a Complaint shall not prejudice the right of the School to require the Parents to remove their child from the School in accordance with the Parent Contract.

After making a Complaint, the Parents should not thereafter approach any Governor or member of the School's staff about the Complaint, except in accordance with the Complaints Procedure. Such an approach may preclude the Governor or staff member's involvement in the procedure.

All Complaints will be handled seriously, sensitively and within clear and reasonable timescales. The timeframes set out in this Complaints Procedure may change depending on the circumstances of each particular case.

It may take longer to resolve a complaint which has been raised shortly before a School holiday, when statutory agencies are involved (for example the Local Authority and/or the Police), during periods of significant disruption to school life or as a consequence of unavoidable staff absence. If a complaint is received during the School holiday, it will be acknowledged and processed upon the start of the new school term. However, during term-time, the School will make all reasonable effort to adhere to the timelines as published in this Policy, and will keep Parents informed should revisions to the timeframes be required.

3 WHO MAY COMPLAIN?

The Complaints Procedure may be used by Parents of pupils who have started at the School (i.e. currently registered pupils on the roll). It may not be used by Parents of prospective pupils, nor by Parents of former pupils, unless, in the case of a former pupil, the Complaint was initially raised when the pupil was still registered as a pupil.

Where a Complaint is brought by one Parent only, other than in exceptional circumstances (including in accordance with a Court order) any other adult who entered into the Parent Contract will be kept informed and invited to participate in the formal stages of the process set out in the Complaints Procedure. Other adults whom the School believes have "parental responsibility" for the Pupil may also be kept informed and invited to participate in the formal stages of the process set out in the Complaints Procedure (unless prevented from doing so by law).

The School has no obligation to and will not normally entertain an anonymous complaint.

4 TIMEFRAME FOR DEALING WITH COMPLAINTS

The School's aim is to complete the first two stages of the procedure within 30 working days of acknowledgement.

Stage 3, the Panel Hearing, will aim to be completed within a further 27 working days.

The table below summarises the timeframe the School will endeavour to achieve for each stage of the Complaints Procedure:

Stage 1		
Complaint made to the School		
Complaint acknowledged by the School	5	Working days since the initial complaint
Attempt to resolve the complaint through informal means	15	Working days since the initial complaint
Stage 2		
Complaint in writing to the School		
Discussion with parents in attempt to resolve the complaint	5	Working days since the start of stage 2
Decision on the complaint	15	Working days since the start of stage 2
Stage 3		
Written complaint to the Clerk to the Governors		Within 10 days of Parents receiving the decision at stage 2
Complaint acknowledged	5	Working days since the start of stage 3
Hearing of complaint panel	20	Working days since the start of stage 3
Written decision of complaint panel	7	Working days since the panel hearing.

5 THE 3-STAGE COMPLAINTS PROCEDURE

5.1 STAGE 1 - INFORMAL RESOLUTION

It is hoped that most complaints and concerns will be resolved quickly and informally. If Parents in the Prep School have a complaint they should normally contact the Head of the Prep School.

Parents of Senior School pupils should normally contact their son/daughter's Housemaster/Housemistress who will then notify the Second Master, the Director of Studies and the Headmaster. In many cases, the matter will be resolved immediately to the parents' satisfaction if the Complaint is made face-to-face or by telephone.

Complaints made directly to the Head of the Prep School, the Second Master, Director of Studies or the Headmaster will usually be referred to the relevant Form Teacher/Housemaster/Housemistress unless they deem it appropriate to deal with the matter personally.

The School will always acknowledge a Complaint made by Parents within **5 working days**.

A written record will be made by a member of SLT of all concerns and complaints, the date on which they were received and the outcome. Should the matter not be resolved **within 15 working days** of receipt, or in the event that there is a failure to reach a satisfactory resolution, then parents will be advised to proceed with their complaint in accordance with Stage 2 of this procedure. Parents will be advised in writing that the end of Stage 1 has been reached if no resolution is possible.

If, however, the complaint is against the Headmaster, parents should make their complaint directly to the Chair of Governors whose contact details can be obtained from the School website or available from the Clerk to the Governors on request.

5.2 STAGE 2 - FORMAL RESOLUTION

If the Complaint cannot be resolved on an informal basis at Stage 1 then parents should put their Complaint in writing to the Headmaster (for the Senior School) or the Head of the Prep School and Mill House Pre-School. They should include in this letter what action they would like the School to take ("Stage 2 Letter"). The Headmaster / Head of the Prep School will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the Headmaster, the Head of the Prep School or the Second Master will meet or speak to the parents concerned, **within 5 working days** of receiving the Stage 2 Letter, to discuss the matter. If possible, a resolution will be reached at this stage.

It may be necessary for the Headmaster, or their nominee (for example, the Second Master or another senior member of staff who has not been substantively involved in the Complaint to date or involved at Stage 1), to carry out further investigations and provide an investigation report to the Headmaster ("Investigation Report").

The Headmaster will keep written records of all meetings and interviews held in relation to the complaint.

Once the Headmaster is satisfied that, so far as is practicable, all of the relevant facts have been established, the Headmaster will write to Parents, informing them of his decision, giving reasons for the decision and, if appropriate, describe any action taken or proposed ("the Decision"). In most cases, this Decision will be provided **within 15 working days** of the receipt of the Stage 2 Letter.

If the complaint is against the Headmaster of the Senior School, the Chair of Governors (or their nominee) will call for a full report from the Headmaster and for all the relevant documents. The Chair of Governors or their nominee may also call for a briefing from members of staff, and will in most cases, speak to or meet with the parents to discuss the matter further. Once the Chair of Governors or their nominee is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents will be informed of the decision in writing. The Chair of Governors or their nominee will give reasons for the decision. If the complaint is against the Head of the Prep School then it will be dealt with by the Headmaster of the Senior School.

If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

5.3 STAGE 3 - PANEL HEARING

If parents are not satisfied with the Decision at Stage 2 they may appeal the Decision **within 10 working days of receipt** by writing to the Clerk ("Stage 3 Letter"). The Stage 3 Letter should set out:

- the grounds for appealing the Decision and the action the Parents would like the School to take; and
- any supporting documentation and material that the Parents wish the Panel to take into account.

Within 5 working days of receipt, the Clerk, who is appointed by the Governors to call hearings of the Complaints Panel, will write to the Parents to acknowledge receipt, refer the Stage 3 Letter to the Chair of Governors (together with any Investigation Report, the Decision, other relevant documents and any supporting documentation and material), and schedule a hearing to take place **within the next 20 working days**.

5.3.1 CONVENING A PANEL

A panel will convene to hear the appeal ("the Panel"). The Panel shall be selected by the Chair of Governors and shall comprise at least three persons not directly involved in the matters detailed in the Complaint. They shall have no connection with the Pupil or family of the Pupil who is the subject of the Complaint. At least one of the Panel members shall be independent of the management and running of the School. This means that he/she shall not be employed or engaged by the School and not a current Governor. . The Chair of Governors will appoint one of the Panel members to act as the Chairperson of the Panel ("Panel Chair").

5.4 THE PANEL'S ROLE

The Panel's role is to review the Stage 3 Letter on the basis of the evidence before it and to decide whether to:

- uphold the grounds of appeal in full or in part; and
- make any recommendations to the School as it sees fit.

The Panel shall not have the power to make any monetary award or compensation or impose sanctions on pupils or staff.

If the Panel deems it necessary, it may require that further particulars of the Complaint or any related matter be supplied in advance of the hearing or further investigation be carried out. Copies of such particulars shall be supplied to all parties, where possible, **not later than five working days** prior to the hearing.

Any new complaint or evidence which is, in the Panel's opinion, irrelevant to the Stage 3 Letter shall not be considered by the Panel.

The Panel will reach its decision applying the civil standard of proof, i.e. the balance of probabilities.

5.5 THE CONDUCT OF THE HEARING

The hearing will not be conducted in an adversarial way and the primary concern of the Panel will be to determine the appeal justly and fairly.

The hearing will take place at a suitable venue but may be held by videoconference facility at the discretion of the Panel Chairman.

The Parents may attend the hearing and be accompanied to the hearing by one other person if they wish, provided that **at least two working days before** the day of the hearing they provide the Clerk with the details of such person (including their professional qualifications, if any) and a statement as to the capacity in which they shall be attending. This may be a relative, teacher or friend (over the age of 18 and not a current pupil or person involved in or a witness to the matters relating to the Complaint). The companion must undertake to accept the confidentiality of the Complaint, procedures adopted, the persons involved and all documentation. Unless permitted to do so by the Panel Chairman, companions shall not make oral representations on behalf of the Parents, nor answer questions on their behalf.

Legal representatives **are not expected** to attend. The **Panel Chair** may, in **exceptional circumstances**, permit a party to be legally represented or accompanied by an advocate where necessary in the interests of fairness..

The Panel will decide whether it would be helpful for witnesses to attend the hearing but shall have no power to compel witnesses to attend the hearing or answer any questions.

The Panel Chair may, for any reason, adjourn the hearing at any time. It may be for further investigation or for additional documents or material or further particulars of the matters

relating to the Complaint to be presented. In the event of an adjournment, the Panel Chair shall, in consultation with the Clerk, give directions as to the date on which the hearing will reconvene, which should be no longer than a **further 10 working days**.

The Parents shall not be permitted to record the hearing. The Clerk or their colleague will keep minutes of the hearing, which (following approval by the Panel Chair) will be circulated to the parties as the official record of the hearing as soon as practicable following the hearing (usually with the Panel's decision, see below).

If the School or the Parents dispute the contents of the minutes of the hearing, the Panel Chairman may require an amendment to be made or direct that their comments be appended to the minutes.

5.6 THE PANEL'S DECISION

The Panel will deliberate in private and reach its decision **within 7 working** days of the conclusion of the hearing. The Panel may require longer to reach a decision, for example because they consider it necessary to undertake further investigation or seek expert guidance, in which case the parties shall be notified accordingly (via the Clerk).

The Panel's decision, the reasons for it, and its recommendations, if any, will be sent in writing to the Parents, the Headmaster and the Chair of Governors and, where relevant, the person(s) complained about. A copy will also be available for inspection on the School's premises by the Headmaster and Governors.

The decision of the Panel shall be final and conclude this procedure.

6 RECORDING COMPLAINTS

A written record of all formal Complaints and whether they are resolved at Stages 1, 2 or 3 and any action taken by the School as a result of those Complaints (regardless of whether they were upheld), shall be kept as required by regulation, and in accordance with its Privacy Notice (Data Protection Policy) and Data Retention Policy.

When dealing with Complaints, the School (including the Chair, Clerk and their colleague(s) and any Panel member appointed under Stage 3) may process a range of information which is likely to include:

- the date(s) of the matters relating to the Complaint and when the Complaints Procedure was invoked
- name(s) and contact details of Parents;
- name of Pupil;
- boarding status, house and Pre-School, Prep or Senior School
- name of other current or former pupils;
- description of the matters relating to the Complaint;
- records and investigations (if appropriate);
- the Investigation Report and relevant documentation and other material;
- witness statements (if appropriate);
- name and contact details of staff;
- copies of correspondence (including emails and records of phone conversations);
- notes of meetings and the hearing;
- the Decision; and
- the Panel's written decision.

Data held by the School may include 'special category personal data' (potentially including sensitive data such as information relating to physical or mental health) where this is necessary owing to the nature of the Complaint. This data will be processed in accordance with the School's Data Protection Policy. The School will keep records of formal complaints

and Complaints Panel Hearings as required by regulation, this being seven years for complaints that do not involve safeguarding implications.

The School's complaints log will identify all complaints related to boarding provision and action taken, as defined by Standard 14.3 of the National Minimum Standards for Boarding 2022.

7 CONFIDENTIALITY

Knowledge of the Complaint and all matters relating to it, including the identities of those involved (including witnesses and those involved in the handling of the Complaint under this procedure) and related documentation and material ("Confidential Information") shall be kept confidential and will usually be limited to those directly involved in the handling of the Complaint under this procedure, such as the Parents, the Pupil, the Headmaster, the Chairman of Governors, the Panel, and others involved in any investigations and the Clerk and their colleague(s).

Confidential Information is and shall remain confidential and must not be disclosed or used by anyone (including but not limited to those persons referred to above) except for the purposes of this Complaints Procedure or further legal process arising from the subject-matter of the Complaint or where they are required to do so by law or regulation (including by the School in response to a request for access from the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008, as may be amended or superseded from time to time) or where action is or needs to be taken under staff disciplinary procedures or otherwise as a result of the Complaint, in which case it shall be handled confidentially within the School.

8 EYFS COMPLAINTS

Parents of EYFS children should follow the three stages of this Complaints Procedure. If parents remain dissatisfied and their complaint is about the School's fulfilment of the EYFS requirements, then parents may take their complaint to the ISI or Ofsted. Parents will be notified by ISI or Ofsted of the outcome of the investigation into their complaint within 28 days of the complaint being received.

Mill House Pre-School will provide OFSTED and ISI, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint. The record of any such complaints will be kept for a minimum of three years. Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements (see Section 10 for details of how to contact Ofsted and ISI). The School will investigate written complaints relating to their fulfilment of the EYFS requirements and notify complainants of the outcome of the investigation within 28 days of having received the complaint. The requirements of this paragraph also apply to the Reception setting at Giggleswick Prep School.

9 PUPIL COMPLAINTS

Pupils should always feel that they can take a problem or complaint to any adult charged with their care and receive a sympathetic hearing. Most difficulties can be sorted out in this informal manner. The following avenues of complaint are available:

- Expressing a concern in House Committee consultations held each term.
- Speaking to the Second Master or Headmaster.
- Speaking to the Housemaster/mistress or Head of House privately.
- Speaking to the Designated Safeguarding Lead (DSL) or a Deputy.

- Speaking privately to a Tutor, , Chaplain, School Nurse, School Counsellor or any other responsible adult.

A complaints procedure for pupils is published and made known to them and parents via the Parent Handbook.

10 CONTACTING ISI, THE DFE AND OFSTED

Whilst the School hopes that parents and pupils will feel able to raise concerns directly and a satisfactory resolution reached, there are other bodies that they might wish to contact if they are unhappy with the response that they have received from the School. Pupils should know that they will not be penalised for a complaint made in good faith.

If a pupil, parent or member of staff has a complaint which relates to the School's general educational or boarding provision they can raise these concerns by writing to:

Independent Schools Inspectorate (ISI) on 020 7600 0100
or by email to concerns@isi.net
ISI, CAP House, 9-12 Long Lane, London EC1A 9HA

Parents can also contact:

Department for Education (DfE) Independent Education and Boarding Team (IEBT) on 0370 000 2288
Online at: https://www.gov.uk/complain-about-school/private-schools
IEBT, DfE, Bishopgate House, Feethams, Darlington, DL1 5QE

If concerns relate to the provision of the EYFS requirements at Mill House Pre-School or the Reception setting at Giggleswick Prep School, parents may also contact:

Ofsted on 0300 123 1231 or by email at enquiries@ofsted.gov.uk
Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

The School will provide ISI/Ofsted, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint.

The record of any such complaints will be kept in accordance with the School's Privacy Notice and for at least three years.

Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirement.

11 AVAILABILITY OF THE COMPLAINTS PROCEDURE

The School will ensure that the Complaints Procedure and the number of formal Complaints during the preceding School year is published or available. The School makes the Complaints Procedure available on the School's website and may be obtained from the School Office during working hours.

In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, the School will also make available, on request, to Ofsted, the Department for Education or the Independent Schools inspectorate (ISI), details of this Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.

In the academic year 2024/25 the School received 3 formal complaints.